

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Leroy Hayes, Jr.,

Civil No. 10-549 (PAM/FLN)

Plaintiff,

v.

**ORDER**

Questar Capital Corporation,

Defendant.

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This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Franklin L. Noel dated August 12, 2011. Pursuant to 28 U.S.C. § 636 and Local Rule 72.1, Magistrate Judge Noel reviewed the instant matter and recommended that, because the only remaining claims are subject to FINRA arbitration, this Court dismiss the case. Neither party has filed objections to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 173).

Accordingly, **IT IS HEREBY ORDERED that:**

1. The Report and Recommendation (Docket No. 173) is **ADOPTED**; and
2. This action is summarily **DISMISSED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: Tuesday, August 30, 2011

*s/ Paul A. Magnuson*

Paul A. Magnuson  
United States District Court Judge